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REGULAR SESSION OF 2015

***ROUGH DRAFT
JOURNAL***

FIFTY-SIXTH DAY

APRIL 29, 2015

OFFICE OF THE CHIEF CLERK

BT

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FIFTY-SIXTH DAY

Wednesday, April 29, 2015

The House of Representatives of the Twenty-Eighth Legislature of the State of Hawaii, Regular Session of 2015, convened at 11:41 o'clock a.m., with Speaker Souki presiding.

The invocation was delivered by Ohana Arts, after which the Roll was called showing all Members present with the exception of Representative Belatti, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Fifth Day was deferred.

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 235) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 235, dated April 24, 2015, informing the House that the Hawaii Government Employees Association (HGEA) and the public employers have reached a tentative agreement concerning Collective Bargaining Unit 2 (Blue Collar Supervisors), and transmitting proposed amendments to S.B. No. 1077, SD 1, HD 1.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 683 through 689) were received and announced by the Clerk:

Sen. Com. No. 683, transmitting H.C.R. No. 34, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIMANALO, KOOLAUPOKO, OAHU, FOR THE USE, MAINTENANCE, AND REPAIR OF THE EXISTING SEAWALL AND STEPS," which was adopted by the Senate on April 28, 2015.

Sen. Com. No. 684, transmitting H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, AFTER CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION, TO DETERMINE THE COST OF PLACING AN OVERPASS OVER THE H-1 FREEWAY TO EXTEND BETWEEN NUUANU STREAM AND QUEEN EMMA STREET THAT WOULD REDUCE TRAFFIC NOISE POLLUTION AND BE USED AS A PARK OR OTHER COMMUNITY USE PURPOSE," which was adopted by the Senate on April 28, 2015.

Sen. Com. No. 685, transmitting H.C.R. No. 138, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO EXAMINE ALL POSSIBILITIES TO ENABLE STUDENT ATHLETIC TEAMS TO RUN AND TRAIN OFF CAMPUS," which was adopted by the Senate on April 28, 2015.

Sen. Com. No. 686, transmitting H.C.R. No. 182, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A TRAFFIC STUDY AND MAKE RECOMMENDATIONS TO ALLEVIATE TRAFFIC CONGESTION ON KAHEKILI HIGHWAY FROM THE LIKELIKE HIGHWAY INTERSECTION TO KAMEHAMEHA HIGHWAY," which was adopted by the Senate on April 28, 2015.

Sen. Com. No. 687, transmitting H.C.R. No. 205, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO EXAMINE EXISTING AND ALLEGED VIOLATIONS IN THE SOLID WASTE RECYCLING INDUSTRY AND FAIRLY AND EQUALLY ENFORCE APPLICABLE LAWS AND REGULATIONS FOR ALL COMPANIES," which was adopted by the Senate on April 28, 2015.

Sen. Com. No. 688, transmitting H.C.R. No. 212, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING FEDERAL AND STATE AGENCIES TO CONSULT WITH HAWAII SMALL SCALE FARMERS, HAWAII SMALL SCALE PRODUCERS, AND AFFECTED PARTIES ON THE OFFSETTING OF COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THE FOOD SAFETY MODERNIZATION ACT," which was adopted by the Senate on April 28, 2015.

Sen. Com. No. 689, dated April 28, 2015, informing the House that the Senate has on April 27, 2015, reconsidered its action taken on April 16, 2015, in disagreeing to the amendments proposed by the House to the following Senate Bills and have moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 550, SD 1, HD 2

S.B. No. 982, SD 1, HD 2

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative LoPresti introduced his constituent, Mr. Jason Bradshaw.

Representative Onishi introduced the members of Ohana Arts: Shayna Yasunaga who plays Sadako, Natalie Borski who plays Shizuka, Carson Davis who plays Masahiro, Reina Takahara who plays Shigeno and Maya Nakamoto who plays Itsue; Ms. Jennifer Taira, Artistic Director; Laurie Rubin, Associate Artistic Director; and parents and supporters.

Representative Takumi introduced from American Income Life Insurance Company: Ms. Susan Fuldauer, Vice President of Public Relations Field Operations; Mr. Daryl Barnett, Director of Labor Relations; and Ms. Dion Dizon, Public Relations Marketing Specialist.

Representative Takayama introduced his staff: Keane Omaye-Backman, Stanley Yamada, Ren Pauley MacDonald and Karen Kawamoto.

Representative Luke introduced her constituent, Ms. DeAnna Niderost.

At 11:58 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:06 o'clock p.m.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Tupola and carried, the rules were suspended for the purpose of considering certain House Bills for Final Reading by consent calendar. (Representatives Belatti, Oshiro, Tokioka and Ward were excused.)

UNFINISHED BUSINESS

Conf. Com. Rep. No. 1 and H.B. No. 952, HD 2, SD 1, CD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 952, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND HOURS ON PUBLIC WORKS LAW," passed Final Reading by a vote of 48 ayes, with Representatives Belatti, Oshiro and Tokioka being excused.

At 12:08 o'clock p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 952, HD 2, SD 1, CD 1

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REPORTS OF CONFERENCE COMMITTEES

Representative Rhoads, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 287, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 2) recommending that H.B. No. 287, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 2 and H.B. No. 287, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT," was deferred for a period of 48 hours.

Representatives Lee and Lowen, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1049, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 3) recommending that S.B. No. 1049, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 3 and S.B. No. 1049, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC WASTE RECYCLING," was deferred for a period of 48 hours.

Representatives Lee and Lowen, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 878, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 4) recommending that S.B. No. 878, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 4 and S.B. No. 878, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER," was deferred for a period of 48 hours.

Representative Rhoads, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 419, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 5) recommending that S.B. No. 419, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 5 and S.B. No. 419, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NEIGHBORHOOD BOARDS," was deferred for a period of 48 hours.

Representatives Lee, Woodson and Lowen, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1096, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 6) recommending that S.B. No. 1096, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 6 and S.B. No. 1096, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ON-BILL PROGRAMS," was deferred for a period of 48 hours.

Representatives McKelvey and Rhoads, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 858, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 7) recommending that H.B. No. 858, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 7 and H.B. No. 858, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," was deferred for a period of 48 hours.

Representatives Belatti, Nakashima and Luke, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1075, HD 2, SD 2, presented a report

(Conf. Com. Rep. No. 8) recommending that H.B. No. 1075, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 8 and H.B. No. 1075, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Representatives Belatti and Kobayashi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 119, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 9) recommending that H.B. No. 119, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 9 and H.B. No. 119, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

FINAL READING

Representative Saiki moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans:

H.B. No. 467, HD 1, (SD 1)
H.B. No. 589, HD 1, (SD 1)

At 12:09 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:09 o'clock p.m.

The motion was put to vote by the Chair and carried, and the House agreed to the amendments made by the Senate to the noted House Bills. (Representatives Belatti, Oshiro and Tokioka were excused.)

H.B. No. 467, HD 1, SD 1:

Representative Saiki moved that H.B. No. 467, HD 1, SD 1 pass Final Reading, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, strong support. I would like to commend the author of this, practicing his profession and for the lives that will be saved by this. But I'm also rather surprised we haven't done this earlier. So, thank you for what the Representative from the Big Island has done with this. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 467, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 48 ayes, with Representatives Belatti, Oshiro and Tokioka being excused.

H.B. No. 589, HD 1, SD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 589, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO STROKE CARE," passed Final Reading by a vote of 48 ayes, with Representatives Belatti, Oshiro and Tokioka being excused.

At 12:11 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 467, HD 1, SD 1
H.B. No. 589, HD 1, SD 1

ANNOUNCEMENTS

Representative McDermott: "Mr. Speaker, I'd like to inform the Members I'll be absent Friday and perhaps part of tomorrow's session as I travel to California for my son's wedding. I'll be back Monday, though. Thank you."

ADJOURNMENT

At 12:12 o'clock p.m., on motion by Representative Evans, seconded by Representative Tupola and carried, the House of Representatives adjourned until 6:30 o'clock p.m. tomorrow, Thursday, April 30, 2015. (Representatives Belatti, Oshiro and Tokioka were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 29, 2015, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 293, Kawakami/McKelvey, Co-Chrs.;
HD 1, SD 1 Kong, Tupola

House Communication dated April 29, 2015, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 467, HD 1, SD 1
H.B. No. 589, HD 1, SD 1

House Communication dated April 29, 2015, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day passed the following bill on Final Reading:

H.B. No. 952, HD 2, SD 1, CD 1